

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Matthew J. Birdsall, *et al.*

Appl. No. 10/029,553

Filed: December 20, 2001

For: Profiled Stent and Method of Manufacture

Art Unit: 3731

Examiner: M. Thaler

Atty. Docket: P105 CON 3

**Response to Final Office Action Dated September 20, 2004 Pursuant to 37 C.F.R. §1.111**

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby responds to the Final Office Action dated September 20, 2004 by way of the following amendment and remarks as well as the enclosed DECLARATION OF MATTHEW J. BIRDSALL PURSUANT TO 37 C.F.R. § 1.131.

Amendments to the Specification are set forth on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims beginning on page 3 of this paper.

Remarks/Arguments begin on page 5 of this paper.

Please amend the second full paragraph on page 12 as follows:

Figures 3a and 3b are cross-section views of a profiled member 13,13',13" of a stent in accordance with the present invention. Figure 3a is a cross-section of the section 13 shown in Figure 2a after profiling, and Figure 3b a cross-section of the section 13' shown in Figure 2b after profiling. In this example, the ~~The~~ profiling process results in the top and bottom portions being substantially flat, ~~and/or with the surfaces of the top and bottom portions exhibiting substantially similar absolute radii of curvature.~~

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